

REMARKS

Applicants appreciate the detailed examination evidenced by the Office Action mailed June 12, 2006 (hereinafter "Office Action"). Applicants respectfully traverse the rejection of independent Claim 1 as being anticipated by U.S. Patent No. 5,616,968 to Fujii et al. (hereinafter "Fujii"), as Fujii does not disclose or suggest "a plurality of load segment indicators...operative to provide an indication of a loading of the associated load segment output." Applicants also respectfully traverse the rejections of independent Claims 17, 26, and 35 as unpatentable over Fujii in view of U.S. Patent No. 7,043,543 to Ewing (hereinafter "Ewing") in further view of U.S. Patent No. 4,884,809 to Rowan (hereinafter "Rowan"), as the combination does not disclose or suggest several of the recitations of these claims. Applicants further traverse the rejections of the dependent claims. Reasons supporting patentability of the claims are discussed in detail below.

Independent Claim 1 is Patentable

Independent Claim 1 stands rejected under 35 U.S.C. §102 as being anticipated by Fujii. Office Action, page 2. In the rejection of Claim 1, the Office Action states "Fujii teaches a plurality of segment loading indicators configured to be electrically coupled to respective load segment outputs at a power supply." Office Action, page 2. Applicants respectfully disagree. Fujii describes an expandable power supply device that combines multiple discrete, interconnectable power supply modules based on load requirements. In contrast with load segment outputs, however, the outputs of the discrete power supply devices 2 are connected in parallel. Fujii, col. 3, lines 24-26. In this manner, a combination of the discrete power supply devices 2 effectively creates a common output power bus that does not include distinguishable load segments. *See, e.g.*, Fujii, FIG 1(b), reference no. 18. Specifically, Fujii states that "the AC output terminal 9 for AC output is connected to terminal sets 18" and that "[e]ach terminal set 18 is connected to the connector for AC output on the adjacent power supply device(s)." Column 4, lines 19-22.

Applicants submit that, in the absence of distinguishable load segments, Fujii cannot disclose or suggest segment loading indicators. Instead, Fujii describes that "[w]hen several devices are connected together, the length of the wiring path may cause the value of the current flowing in one device 2 to differ from that in the next so that the luminous element 19

of one device lights up to indicate an overload even though the indicators on other devices are off." Fujii, col. 10, lines 50-55. Fujii describes using a current transformer in a master control unit to coordinate the luminous elements in all of the devices to operate in unison regarding an overload condition. Fujii, col. 10, lines 59-67. In this manner, the luminous elements 19 described in Fujii operate to indicate an overload of the unit that includes multiple discrete power supply devices connected in parallel. Thus, Fujii does not disclose or suggest "a plurality of segment loading indicators" as recited in Claim 1. Accordingly, Fujii does not disclose or suggest the recitations of Claim 1 and, for at least these reasons, Applicants submit that Claim 1 is patentable over Fujii.

Independent Claims 17, 26, and 35 are patentable

Independent Claims 17, 26, and 35 are rejected under 35 U.S.C. §103 as unpatentable over Fujii in view Ewing in further view of Rowan. In rejecting Claims 17, 26 and 35, the Office Action states "Fujii teaches a power supply module connectably connected to from an uninterruptible power unit supplying a connector to supply individual loads." Office Action, page 4. This general statement regarding Fujii fails to provide any indication as to which of the recitations of Applicants' claims are allegedly described in Fujii. Further, the rejection does not cite any specific portions of Fujii in support of the rejection. Applicants respectfully submit that if the Office Action relies on the mischaracterization of Fujii as discussed above regarding Claim 1, the rejections based on the Fujii/Ewing/Rowan combination suffer from at least the deficiencies discussed above.

Regarding Ewing, the Office Action states "Ewing teaches an electrical power distribution plug strip comprising a long thin plug strip body with several power outlet plugs distributed along the length of one face." Office Action, page 4. Applicants respectfully submit that this statement of rejection, like the statement above regarding Fujii, lacks specific reference to any recitations in Applicants' claims and fails to cite relevant portions of Ewing in support of the rejection. The Office Action makes a similarly general statement regarding the applicability of Rowan in the rejection of Claims 17, 26, and 35. Applicants respectfully submit that the general statements of rejection are insufficient, constitute an improper rejection, and should be withdrawn for at least these reasons. If, however, the Examiner maintains the rejections of Claims 17, 26, and 35 based on a Fujii/Ewing/Rowan

combination, Applicants respectfully request specific indication where in the references allegedly teach or suggest the specific recitations of Applicants' claims and that such rejection not be made final to afford Applicants adequate opportunity to respond. Applicants respectfully submit that the Office Action also fails to indicate or otherwise address any motivation to combine the references.

Moreover, in grouping the claims, the Office Action fails to recognize that the independent Claims 17, 26, and 35 include distinct recitations. For example, independent Claim 17 recites "a user interface positioned at the first panel of the housing...and...a loading indicator coupled to the power output and operative to provide a visual indication at the second panel the housing" whereas independent Claim 35 recites "providing respective segment loading indications for respective load segment outputs of the power supply." The Office Action fails to address these different aspects and, for at least these additional reasons, Applicants submit the rejections of these claims are erroneous and should be withdrawn.

Further, regarding Fujii, Ewing and Rowan, the Office Action states that "[t]he above references do not teach a housing having first and second panels" and that "[i]t would have been obvious to one having ordinary skill in the art to modify the housing to have a first and second panel mounted into a housing for this is merely a rearrangement of parts." Office Action, page 4. This allegation fails to recognize the functional structures that Applicants recite in conjunction with the first and second panels. For example, independent Claim 17 recites "a power output at the second panel" and "a loading indicator coupled to the power output and operative to provide a visual indication at the second panel of the housing of a loading of the power output." The UPS of independent Claim 17 also includes "a user interface positioned at the first panel of the housing and operatively associated with the uninterruptible power supply circuitry." Thus, the first and second panels identify relative locations of functional structures of some embodiments and are not "merely a rearrangement of parts" as alleged by the Office Action. Accordingly, the rejections under Fujii in view of Ewing in further view of Rowan is improper and should be withdrawn. For at least these additional reasons, Applicants respectfully submit that independent Claims 17, 26 and 35 are patentable over the Fujii in view of Ewing in further view of Rowan.

The dependent claims are patentable

Applicants submit that dependent Claims 2-16, 18-25, 27-34 and 36-37 are patentable at least by virtue of the patentability of various ones of independent Claims 1, 17, 26 and 35 from which they depend.

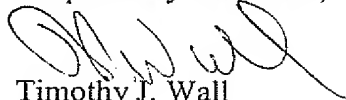
IDS

Applicants also note that the Office Action does not indicate consideration of Applicant's Information Disclosure Statement (IDS) submitted July 12, 2005, a copy of which is attached, along with a copy of a return postcard indicating receipt of the IDS in the U.S. Patent and Trademark Office. Applicants respectfully request consideration of the references cited in the IDS and return of a copy of the initialed form PTO-1449 indicating such consideration.

Conclusion

As all of the claims are now in condition for allowance, Applicants respectfully request allowance of the claims and passing of the application to issue in due course. Applicants urge the Examiner to contact Applicants' undersigned representative at (919) 854-1400 to resolve any remaining formal issues.

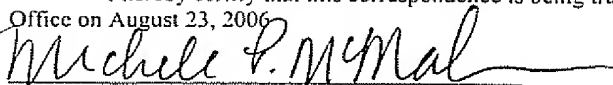
Respectfully submitted,


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CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on August 23, 2006


Michele P. McMahan

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Attorney's Docket No. 9060-221

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Robert W. Johnson, Jr. et al.

Confirmation No.: 9585

Serial No.: 10/790,604

Group Art Unit: 2836

Filed: March 1, 2004

For: Power Supply Loading Indicators and Methods

Date: July 12, 2005

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
FOR PARTIAL INTERNATIONAL SEARCH REPORT**

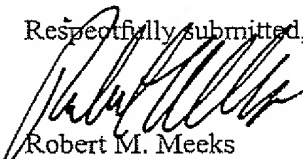
Sir:

Attached is a Supplemental Form PTO-1449 listing documents cited in the International Search Report for the corresponding International Application Number PCT/US2005/005633. Each document listed on the attached PTO-1449 was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. A copy of any listed foreign patent document and/or non-patent literature, including the Search Report, is enclosed. A copy of any listed U.S. patent and/or U.S. patent application publication is not provided herewith in accordance with the amendment by the U.S. Patent and Trademark Office of requirements under 37 C.F.R. § 1.98(a)(2)(ii) effective October 21, 2004. In accordance with MPEP § 609, the submission of the copy of the Search Report should serve as satisfying the requirement of a concise explanation of the listed non-English language references.

It is requested that these documents be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. § 1.56 and Section 609 of the MPEP.

No fee is believed due; however, the Commissioner is hereby authorized to charge any deficiency or credit any refund to Deposit Account No. 50-0220.

Respectfully submitted,



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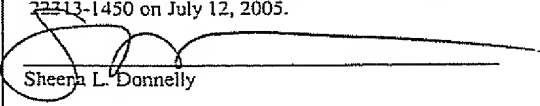
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 12, 2005.



Sheena L. Donnelly

Complete if Known

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(use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	9060-221
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Application Number	10/790,604
Filing Date	March 1, 2004
First Named Inventor	Robert W. Johnson, Jr.
Group Art Unit	2836
Examiner Name	TBA
Attorney Docket Number	9060-221

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
	3.	Invitation to Pay Additional Fees and Partial International Search Report for International patent application no. PCT/US2005/005633 mailed on June 28, 2005	

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Date: July 12, 2005
Doc. No. 9060-221
Serial No. 10/790,604
Inventor: Johnson et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below by placing your receiving stamp hereon and return mailing:

Application Transmittal and:
Specification pages
No. of Claims
Declaration & POA
Assignment and Fee
Small Entity Statement
Formal Drawings/ sheets
Associate Power of Attorney
Exp. Mail 1st Class Mail

Check \$
✓ IDS & PTO 1449 & 3 refs.
Amendment & Amend. Transmittal
Preliminary Amendment
Issue Fee
Brief
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Respectfully submitted,
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Attorneys for Applicant

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Date: July 12, 2005
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Inventor: Johnson et al.

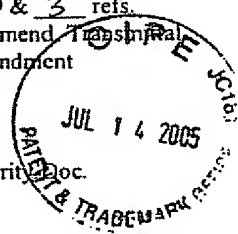
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Application Transmittal and:
Specification pages
No. of Claims
Declaration & POA
Assignment and Fee
Small Entity Statement
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Associate Power of Attorney
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Check \$
✓ IDS & PTO 1449 & 3 refs.
Amendment & Amend. Transmittal
Preliminary Amendment
Issue Fee
Brief
Appeal
Submittal of Priority Doc.

✓ Other: return postcard

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant



Handwritten signature/initials.